



**Project #16-032  
Berntson Estates  
1200 East 1400 North**

**REPORT SUMMARY...**

*Project Name:* Berntson Estates  
*Proponent / Owner:* Nate Brockbank / Pat Hancey  
*Project Address:* 1200 East 1400 North  
*Request:* 76 Residential & 1 Commercial Lot  
*Current Zoning:* Neighborhood Residential (NR-6)  
*Type of Action:* Quasi-Judicial  
*Hearing Date:* Sept. 22, 2016  
*Submitted By:* Russ Holley, Senior Planner

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**RECOMMENDATION**

Staff recommends that the Planning Commission **conditionally approve** a Subdivision Permit for Project #16-032, Berntson Estates Subdivision, in the Neighborhood Residential (NR-6) located 1200 East 1400 North, TIN#05-011-0006.

*Current Land use adjoining the subject property*

<i>North:</i>	COM: Commercial	<i>East:</i>	NR-6: Residential
<i>South:</i>	NR-6: Residential	<i>West:</i>	PUB: Utah State Univ.

**Resubmittal 8-15-2016**

**2<sup>nd</sup> Resubmittal 9-14-16**

**Summary of Changes**

The applicant has resubmitted a plan that shows 76 residential building lots (previous submittal was 89 residential lots) and one (1) 3.42 acre residual commercial lot north of 1400 North. The residential lots range from 8,000 to 24,238 SF. 43 of the 76 residential lots are larger than 9,000 SF. The plan still shows the 16' landscape buffer areas adjacent to 1400 North and 1200 East. The Geotechnical report has been reviewed and determined by the Public Works Department to be adequate in nature at this time. As each individual lot is proposed for home development in steep-slope areas, a specific retention and building placement plan will be reviewed and approved based on geotechnical and site specific issues.

**Subdivision Proposal**

The applicant is proposing a 76 lot single family subdivision and residual one (1) lot commercial subdivision. The majority of the property is located south of 1400 North and east of 1200 East and formerly used as a gravel pit. This area is 26.13 acres with proposed new residential streets and storm-water facilities for a total gross density of 2.9 units per acre. The area north of 1400 North is being proposed as one (1) 3.42 acre commercial building lot. The rocky ground generally slopes downwards east to west and has an elevation difference of approximately 74 feet.

The commercial sections of the LDC do not require minimum lot sizes or frontages, only overall lot coverage, parking lots and landscaping percentages. When a commercial building is proposed in the future, as per the Design Review Permit process, these site development standards will be reviewed for compliance with the LDC. For a commercial subdivision permit to be approved, access and overall layout should be reviewed and considered.

**Access & Streetscapes**

Three total street connections are shown, one (1) onto 1400 North and two (2) onto 1200 East. All internal streets are shown at 60' cross sections with the access points at 66' feet in width.

Internal blocks are created by the looping residential streets creating circulation options. The Logan City standard cross section is 60' for residential streets. The adjacent streets, 1400 North and 1200 East are considered arterial streets and contain 80 foot widths. The arterial roads would contain 3 traffic lanes, bike lanes, curb, sidewalks and parkstrips. As conditioned with standard street cross sections, the proposed subdivision meets access requirements in the LDC.

### **Density & Lot Size**

The NR-6 zoning district allows up to six (6) units per acre, a minimum lots size of 6,000 square feet and an average minimum lot width of 50 feet as per the LDC. The proposed 76 lot residential portion of the subdivision has a gross density of 2.9 units per acre. As conditioned, the subdivision meets density, layout and lot size requirements in the LDC.

### **Site Development**

#### *Setbacks*

The Land Development (LDC) requirements for building setbacks in the NR-6 zone are as follows (as measured from property lines):

Front:	25 feet
Side:	8 feet
Rear:	10 feet
Rear (adj. arterial rd.)	20 feet
Canal:	15 feet
Accessory:	5 feet

As new homes are proposed on individual lots, setbacks will be reviewed and approved by City staff.

#### *Structures*

Building heights, both primary and accessory, lot coverage, driveway placement and widths, parking, façade variation and garages will all be reviewed and approved by City staff as per LDC NR-6 regulations when individual building permits are submitted.

The commercial developments will need Design Review Permits prior to construction and will be approved as per commercial zoning regulations in the LDC at the time of application.

#### *Open Space*

Open space is not required in the NR-6 zoning district. Based on lower densities and low lot coverage allowances, this creates open areas and landscaping possibilities within each individual lot. As population continues grows in the area, the Logan City Parks and Recreation Department will acquire lands for public park development as per the Logan City Parks Master Plan and the Hillcrest Neighborhood Specific Plan.

#### *Landscape Buffers*

The LDC 17.14.020 requires substantial landscaping when subdivision applicants propose building lots with back yards adjacent to exterior streets so that streetscapes in the city remain aesthetically pleasing and rear yards obtain privacy and noise levels expected with single family living situations. Figure 17.14.020 shows a 50 foot buffer area with berming and landscaping to accomplish this. Because the code section is not a building setback, building height or open space requirement (LDC 17.50.080.C.5.) and more of an aesthetic issue, staff would consider this an area that the Planning Commission could use its discretion of more than 10% for possible alternates. Staff also considers the 50 feet to be the standard and starting point for any deviation and that anything less than 50' would be required to prove that it still adequately accomplished the intent of the base standard.

The proponent is showing a 16' wide landscape buffer area with grass and trees. The arterial roads along the perimeter will have 13' of right-of-way width next to the curb and will be improved as parkstrip and sidewalk. The 16' buffer space behind the right-of-way would need to be significantly vegetated to accomplish the intent of the 50' wide building orientation landscape buffer requirement. To accomplish the intent of a 50' wide buffer, staff would expect in addition to the street trees planted at every 30 feet, landscaping buffer trees planted every 20 feet (overall block average), dense shrubs planted at every 10 feet and berming of 0-3 feet in height. This landscaping buffer should tie into the retention pond landscaping design located at the northwest corner of the project site to create uniform, aesthetically pleasing landscape perimeter.

#### *Utility Services*

The adjacent streets (1400 North & 1200 East) contain all of the city utility services needed for residential development. Water, sewer and power will be extended throughout the subdivision as per City standards and specifications ensuring that all lots will be fully serviced.

#### **AGENCY AND CITY DEPARTMENT COMMENTS**

Comments were solicited from the following departments or agencies:

• Fire	• Engineering
• Environmental	• Water

#### **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, numerous comments have been made both verbally and written mainly concerning density, landscaping and neighborhood compatibility.

#### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 6/23/16 and the Utah Public Meeting website on 7/7/16. Public notices were mailed to all property owners within 300 feet of the project site on 6/27/16.

#### **RECOMMENDED CONDITIONS OF APPROVAL**

*This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.*

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. 76 single family lots and 1 commercial lot are approved with this subdivision permit.
3. A note shall be added to the final plat indicating a 20' minimum rear building setback for all homes that back up against 1200 East and 1400 North.
4. A pedestrian sidewalk shall be added that runs adjacent to the detention pond area connecting the internal streets to either 1400 North or 1200 East near their intersection.
5. The final plat shall be recorded within one (1) year of this action with subsequent phases each one year following or comply with LDC 17.58 Expirations and Extensions of Time.
6. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
7. At the completion of phase 3 and prior to phase 4 recordation, the entire landscape buffer shall be installed with written maintenance responsibilities and agreements.
8. The 1400 North and 1200 East right-of-way shall include a landscaped parkstrip, street trees and a 5' sidewalk.
9. The 16' perimeter landscape buffer shall have trees placed at every 20 linear feet (block average), shrubs at every 10 feet, and berming of 0-3 feet along both 1400 North and 1200 East. Final design to be approved by staff.

10. The landscape buffers shall have automatic irrigation systems for regular watering and maintenance. This area shall be maintained by the developer or the HOA. A written binding agreement shall be submitted to the city detailing landscape buffer responsibility and maintenance. A note shall be placed on the final plat referencing the responsibility of the landscape buffer installation and maintenance.
11. If any portion of the sidewalk meanders outside of the 13' right-of-way along 1200 East and 1400 North, a public access easement shall be indicated on the plat.
12. The perimeter landscape buffer and storm-water retention ponds located at the northwest side shall be on a separated parcel from building lots and labeled on the final plat as non-buildable.
13. A final engineering geologic study to be completed by a professional engineer and approved by the City Engineer and Community Development Director prior to recordation of a final plat. The study shall include historic high water table information and areas that would prohibit basement construction should be indicated on final plats.
14. Prior to building permit issuance in phases 3-7 for individual homes, each lot, shall have a geotechnical review and approval based on the overall report, home layout, retention wall specifics, grading, cuts and fills, drainage and driveway layout.
15. All areas of finish grades sloping greater than 30% shall be indicated as non-buildable areas on final plats.
16. Street cross sections shall be standard 60' and 66' as shown.
17. A wetland delineation shall be completed prior the submittal of commercial design review permits for the three lots north of 1400 North.
18. Prior to recording of a Final Plat or issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
  - a. Fire:
    - Place fire hydrants within 600 ft of all buildable area of all lots.
    - Roads shall meet Logan City Standards for width and grade.
  - b. Engineering:
    - Traffic Study of impact to existing roads and intersections shall be done by Logan City Engineering Department. Cost of study to bill to developer, input by developer regarding potential firms will be considered in final selection of consultant.
    - No lot access will be allowed from 1200 East and 1400/1500 North streets
    - Show "No Build" area for steep slopes per Land Development Code on final recorded plats
    - Comply with new MS4 storm water requirements (1. Retention onsite of 90<sup>th</sup> percent storm event, 2. Implementation of Low Impact Design for permanent post construction storm water management best practices). Comply with City storm water design standards.
    - Provide Storm Water Pollution Prevention Plan and NOI with infrastructure construction drawings for approval prior to final plat recordation.
    - Connect drainage piping from Box Elder Circle into new development post construction storm water system.
    - Provide City with a permanent storm water utility easement on development property from subdivision Phase 9 lots to the existing 1400 East detention pond.
    - Lots 2 and 3 on north side of 1400/1500 North shall have a shared access to 1400/1500 North and shall align with the access from south development to form a 4-way intersection.
    - The north access to 1200 East from south development shall be a minimum of 200' from south right of way line of 1400 North to the north right of way line of the north access road to 1200 East.
    - The 3 access roads from the subdivision shall be 66' right of way all other roads shall be 60' unless approved otherwise by City Engineer.

- Construct 1400/1500 North for 80' right of way with curb, gutter, park strip, sidewalk and road section as required for specified right of way width.
  - Provide to City prior to plat recordation, water shares for new development, development agreement, storm water maintenance agreement and land disturbance permit
  - Construct all 1200 East and 1400/1500 North improvements with first phase of construction.
  - Provide a 10'x10' long corner cut off at south east corner of 1400 North and 1200 East and a minimum 25' radius.
- c. Environmental:
- Provide all weather access and turn around for residential collection trucks for each phase.
- d. Water:
- All water meter setters must meet current Logan City standards for check valves.
  - All landscape irrigation water systems if connected to culinary water must have high hazard back flow assembly installed and tested.

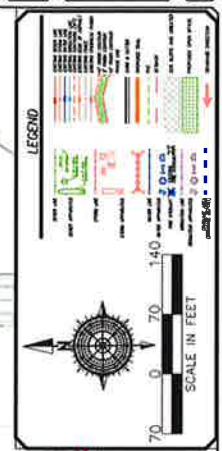
### **RECOMMENDED FINDINGS FOR APPROVAL FOR THE SUBDIVISION PERMIT**

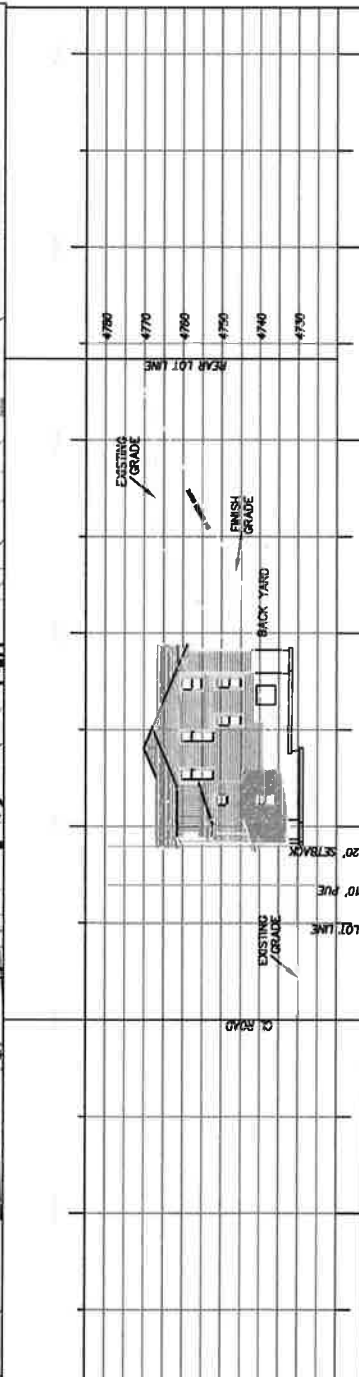
*The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:*

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. Each lot conforms to the requirements of Title 17 of the Logan LDC in terms of lot size and development requirements.
3. Each lot as conditioned is suitable for development within the NR-6 zone.
4. The Subdivision Permit conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
5. The project meets the goals and objectives of the NR-6 zoning designations within the Logan General Plan.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 1400 North and 1200 East provide infrastructure, utilities and are adequate in size to handle anticipated traffic.

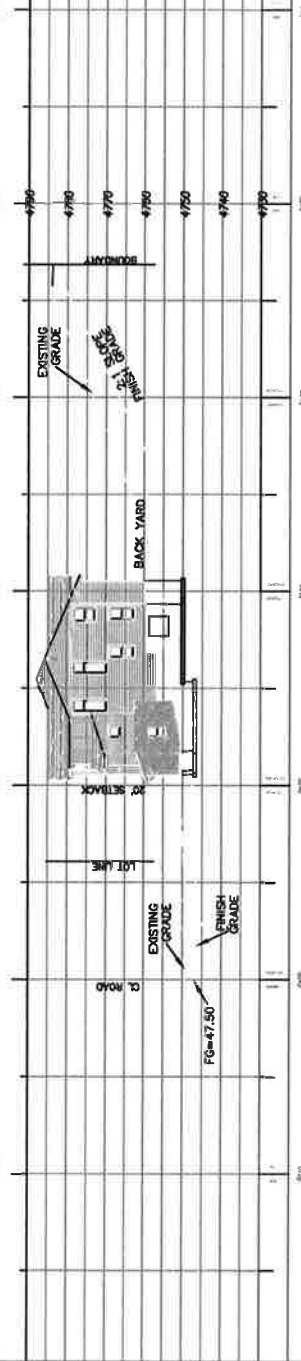
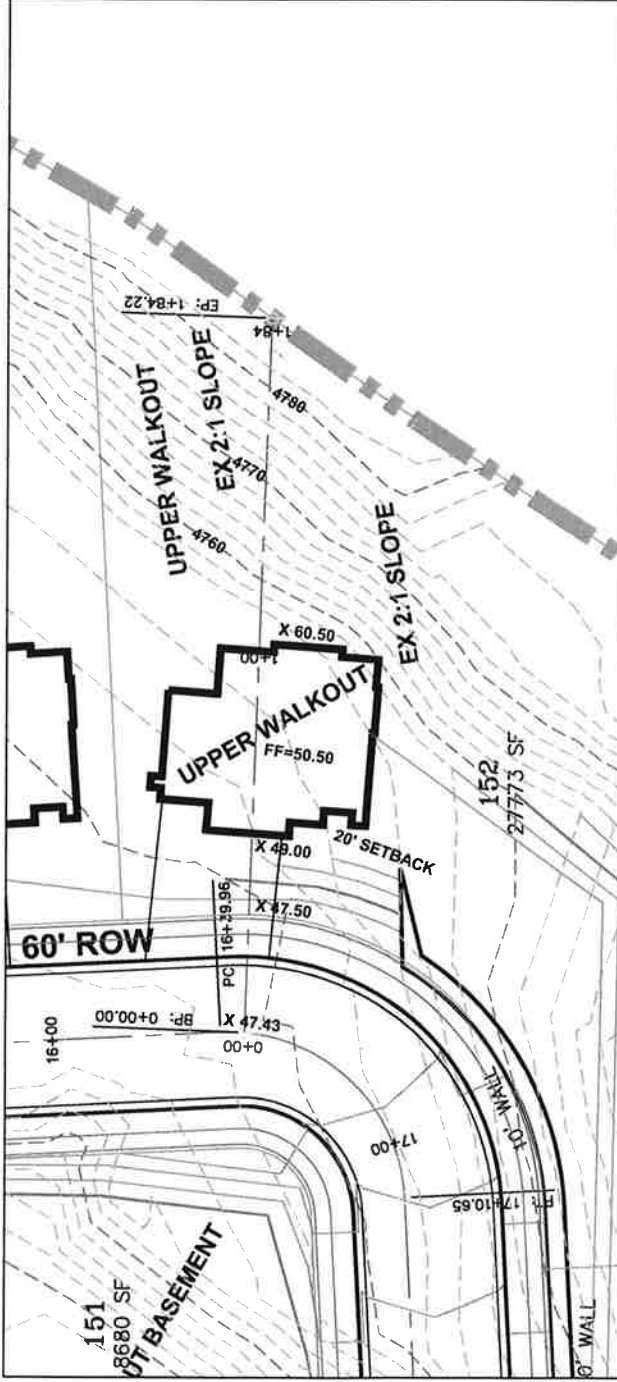
This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.





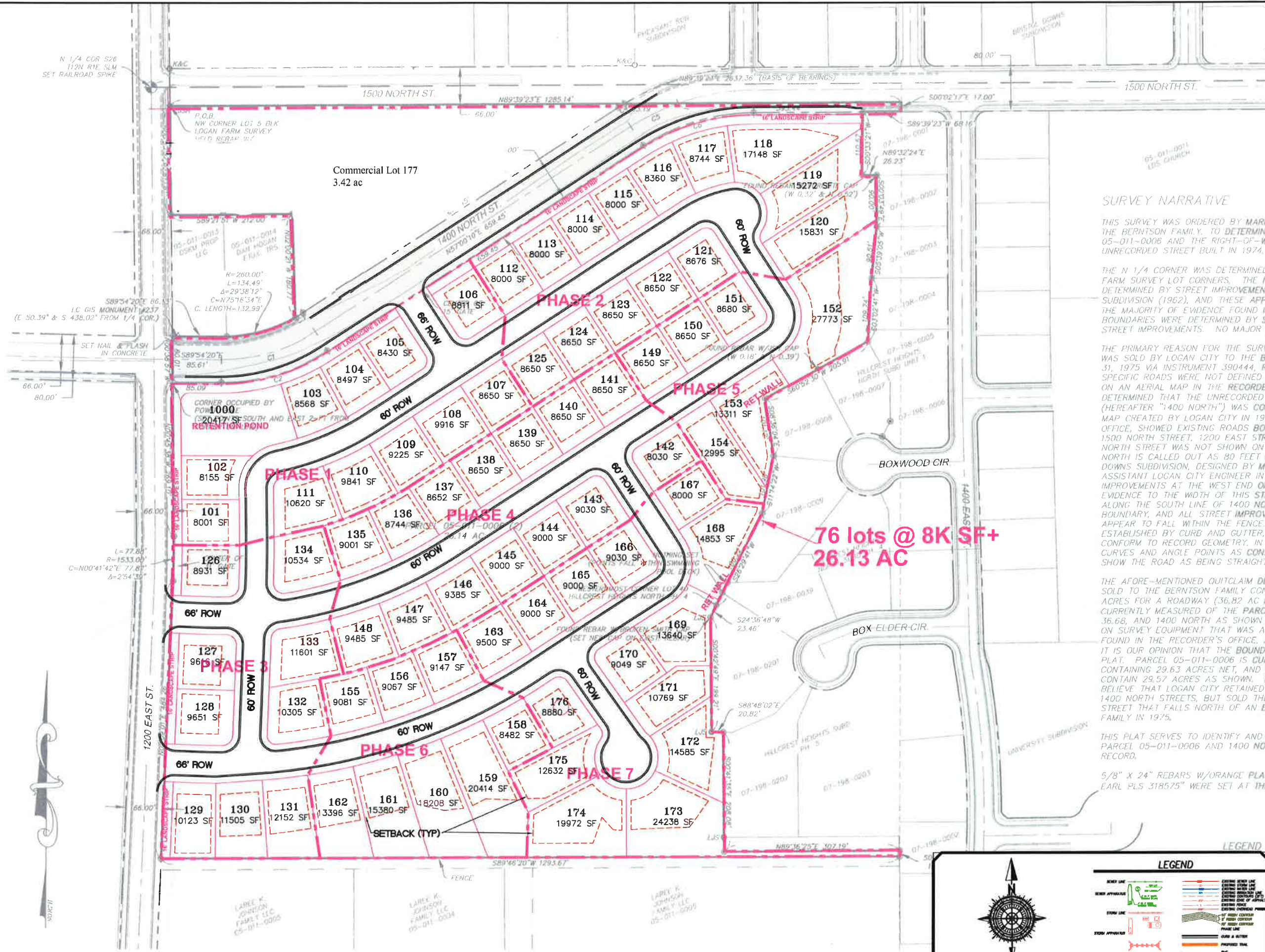


SCALE IN FEET  
1"=30' HORIZONTAL 11"x17"



PROPOSED LOT 152





CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CD. BEARING	DELTA
C1	173.27'	300.00'	89.13'	170.87'	N73°32'55"E	33°25'30"
C2	188.37'	140.00'	101.01'	163.66'	N73°32'55"E	33°25'30"

NOTE:  
Utilities shown are from field observations or have been plotted from available maps. No underground explorations have been performed.

GRAPHIC SCALE

LEGEND

REAR LINE	EXISTING REAR LINE
REAR APPROACH	EXISTING REAR APPROACH
STORY LINE	EXISTING STORY LINE
STORY APPROACH	EXISTING STORY APPROACH
FRONT LINE	EXISTING FRONT LINE
FRONT APPROACH	EXISTING FRONT APPROACH
REAR LINE	EXISTING REAR LINE
REAR APPROACH	EXISTING REAR APPROACH
STORY LINE	EXISTING STORY LINE
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STORY APPROACH	EXISTING STORY APPROACH
FRONT LINE	EXISTING FRONT LINE
FRONT APPROACH	EXISTING FRONT APPROACH

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY MARK THE BERTSON FAMILY, TO DETERMINE THE BERTSON FAMILY'S INTEREST IN THE UNRECORDED STREET BUILT IN 1974.

THE N 1/4 CORNER WAS DETERMINED BY SURVEY LOT CORNERS. THE N DETERMINED BY STREET IMPROVEMENT SUBDIVISION (1962), AND THESE APPL THE MAJORITY OF EVIDENCE FOUND IN BOUNDARIES WERE DETERMINED BY S STREET IMPROVEMENTS. NO MAJOR

THE PRIMARY REASON FOR THE SURV WAS SOLD BY LOGAN CITY TO THE B 31, 1975 VIA INSTRUMENT 390444, R SPECIFIC ROADS WERE NOT DEFINED I ON AN AERIAL MAP IN THE RECORDER DETERMINED THAT THE UNRECORDED (HEREAFTER "1400 NORTH") WAS COM MAP CREATED BY LOGAN CITY IN 197 OFFICE, SHOWED EXISTING ROADS 1500 NORTH STREET, 1200 EAST STR NORTH STREET WAS NOT SHOWN ON NORTH IS CALLED OUT AS 80 FEET G DOWNS SUBDIVISION, DESIGNED BY M ASSISTANT LOGAN CITY ENGINEER IN IMPROVEMENTS AT THE WEST END OF EVIDENCE TO THE WIDTH OF THIS STR ALONG THE SOUTH LINE OF 1400 NOR BOUNDARY, AND ALL STREET IMPROVE APPEAR TO FALL WITHIN THE FENCE, ESTABLISHED BY CURB AND GUTTER, CONFORM TO RECORD GEOMETRY, IN CURVES AND ANGLE POINTS AS CONS SHOW THE ROAD AS BEING STRAIGHT.

THE AFORE-MENTIONED QUITCLAIM DE SOLD TO THE BERTSON FAMILY CON ACRES FOR A ROADWAY (36.82 AC N CURRENTLY MEASURED OF THE PARCE 36.68, AND 1400 NORTH AS SHOWN I ON SURVEY EQUIPMENT THAT WAS AV FOUND IN THE RECORDER'S OFFICE, A IT IS OUR OPINION THAT THE BOUNDA PLAT. PARCEL 05-011-0006 IS CUR CONTAINING 29.63 ACRES NET, AND V CONTAIN 29.57 ACRES AS SHOWN. B BELIEVE THAT LOGAN CITY RETAINED 1400 NORTH STREETS, BUT SOLD THE STREET THAT FALLS NORTH OF AN EX FAMILY IN 1975.

THIS PLAT SERVES TO IDENTIFY AND PARCEL 05-011-0006 AND 1400 NOR RECORD.

5/8" X 24" REBARS W/ORANGE PLAS EARL PLS 318575" WERE SET AT THE

DATE: 5-1-16

SURVEY BY: GPW

DRAWN BY: GPW

DESIGNED BY: GPW

CHECKED BY: GPW

SCALE: 1"=80'

NO. DESCRIPTION

DATE

APPD

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CIVIL ENGINEERING • CONSULTING • LAND PLANNING

CONSTRUCTION MANAGEMENT

BERSTEN ESTATES

SURVEY OVERLAY

CONCEPT PLAN

PRINT DATE: 9-13-16

LOGAN CITY

PRELIMINARY NOT FOR CONSTRUCTION

SHEET NO. 1/4